

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DENA R. JAMES,

08-CV-6120-ST

Plaintiff,

ORDER

v.

MICHAEL ASTRUE, Commissioner,
Social Security Administration,

Defendant.

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BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#23) on May 21, 2009, in which she recommends this Court reverse and remand the Commissioner's decision denying Plaintiff's application for supplemental security income benefits for the immediate calculation and award of benefits. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983)(rev'd on other grounds). *See also Lorin Corp. v. Goto & Co.*, 700 F.2d

1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#23), **REVERSES** the Commissioner's decision denying Plaintiff's application for supplemental security income benefits, and **REMANDS** this matter to the Commissioner for the immediate calculation and award of benefits.

IT IS SO ORDERED.

DATED this 1st day of July, 2009.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge